

REMARKS

Claims 1-14, 16, 17, and 19-33 are all of the claims presently pending in the application. Applicant has amended claims 1, 14, 16, 17, 19, and 22 to define the claimed invention more particularly.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicants specifically state that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1, 2, 11-14, 16-17, and 19-24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by King (U.S. Patent No. 6,529,286). Claims 25-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over King. Claims 1-7, 11-14, 16-17, and 19-33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Freedman (U.S. Patent NO. 4,839,829) in view of King. Claim 8-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Freedman and King in further view of Greulich, et al. (U.S. Patent No. 6,018,338; hereinafter "Greulich").

Applicant respectfully traverses these rejections in the following discussion.

I. THE CLAIMED INVENTION

The claimed invention (e.g., as defined by claim 1) is directed to an image ordering system and a method of an image ordering system.

An illustrative, non-limiting embodiment of an image ordering system as defined by independent claim 1, includes a center server, a first client computer for an orderer, and a plurality of second client computers for a laboratory that are capable of communicating data

with one another. The first client computer includes an input unit for inputting data that specifies an image to be printed and a first transmitting unit for transmitting, to the center server, the image specifying data that is input from the input unit and data specifying the orderer.

The center server includes a memory for storing correspondence data in advance, the correspondence data representing which of the plurality of second client computers is affiliated with the first client computer of the orderer, a first receiving unit for receiving the image specifying data and the orderer specifying data transmitted from the first transmitting unit of the first client computer, a determination unit for determining, on the basis of the correspondence data, which of the plurality of second client computers is affiliated with the orderer specified by the orderer data received by the first receiving unit, and a second transmitting unit for transmitting the image specifying data and the orderer specifying data, which has been received by the first receiving unit, to one of the plurality of second client computers that has been determined by the determination unit to be affiliated with the orderer specified by the orderer data received by said receiving unit. Also, at least one of the plurality of second client computers includes a second receiving unit for receiving the image specifying data and the orderer specifying data transmitted from the second transmitting unit of the center server and a first alerting unit for giving notice of information regarding an image specified by the image specifying data and of an orderer represented by the orderer specifying data, which items of data have been received by the second receiving unit.

The center server also includes an image database for storing client images. The data that specifies an image to be printed is matched to a client image stored in said image database (e.g., see Application at page 14, line 21 through page 15, line 9).

Independent claims 14, 16, 17, 19, and 22 recite somewhat similar features as independent claim 1.

The claimed invention, as defined by independent claims 1, 14, 16, 17, 19, and 22 is capable of determining, on the basis of correspondence data, which of the plurality of second client computers is affiliated with the orderer specified by the orderer data.

Thus, the claimed invention can transmit the image specifying data and the orderer specifying data to an affiliated second client computer out of a plurality of second client computers.

In other words, when there are a plurality of second client computers, the correspondence data can be transmitted accurately from the center server to an affiliated one of the plurality of second client computers, wherein an affiliated second client computer out of a plurality of second client computers is determined by the corresponding data transmitted from the first client computer (e.g., see specification at page 6, lines 2-13; and page 20, lines 1-16).

II. THE PRIOR ART REFERENCES

A. The King Reference

The Examiner alleges that King teaches the claimed invention of claims 1, 2, 11-14, 16-17, and 19-24. Furthermore, the Examiner alleges that King renders obvious the claimed invention of claims 25-32. Applicant submits, however, that King does not teach or suggest each feature of the claimed invention.

That is, King does not teach or suggest, *“an image database for storing client images... wherein the data that specifies an image to be printed is matched to a client image stored in said image database”*, as recited in exemplary claim 1, and similarly recited in

exemplary claims 14, 16, 17, 19, and 22.

In accordance with the claimed invention, when duplication of an image contained in the image database of the center server is ordered by a client, order data is transmitted to the center server using the first client computer. The center server accepts the order data from the first client computer and transmits the accepted order data to an affiliated second client computer. Upon receiving the order data, the second client computer matches the order data to image data previously stored in the image database (e.g., see Application at page 14, line 21 through page 15, line 9).

Accordingly, the claimed invention allows a client to access client images previously stored in an image database in the center server. A client is therefore able to duplicate images, which were previously stored in the center server, at a later date.

King does not teach or suggest this feature of the claimed invention.

First, King does not teach or suggest, *“a determination unit for determining, on the basis of the correspondence data, which of the plurality of second client computers is affiliated with the orderer specified by the orderer data received by said first receiving unit”*. Indeed, King merely teaches calculating an estimated workload of a plurality of printers and then sending a print order to the one of the printers having the lowest current workload (e.g., see King at column 4, lines 42-51 and column 6, lines 1-31).

While King teaches a plurality of client computers (301, 302, and 303), King does not teach or suggest that the client computers 301, 302, and 303 are affiliated. Indeed, King merely teaches an affiliating between one of the client computers and at least one of the printers (305-308).

Moreover, King does not teach or suggest, *“an image database for storing client images... wherein the data that specifies an image to be printed is matched to a client image*

stored in said image database.”

Indeed, King merely teaches a system for routing print orders in a computer network. That is, in King, a print order is received and the print order is routed to an available printer.

King, however, does not teach or suggest an image database for storing client images that may be duplicated at a later time by matching subsequent image order data with a previously stored client image.

Therefore, Applicant submits that King does not teach or suggest each feature of the claimed invention. Accordingly, Applicant respectfully requests the Examiner to withdraw this rejection.

B. The Freedman Reference

The Examiner alleges that a person of ordinary skill in the art would have combined Freedman with King to teach the claimed invention of claims 1-7, 11-14, 16, 17, and 19-33. Applicant submits, however, that, even if combined, the alleged combination of references would not teach or suggest each and every feature of the claimed invention.

That is, the alleged combination of Freedman and King does not teach or suggest, “*an image database for storing client images... wherein the data that specifies an image to be printed is matched to a client image stored in said image database*”, as recited in exemplary claim 1, and similarly recited in exemplary claims 14, 16, 17, 19, and 22.

The Examiner does not even allege that Freedman teaches or suggests this feature of the claimed invention. Indeed, Freedman does not even mention an image database, let alone teach or suggest the specific limitation of the claimed invention.

Furthermore, as detailed above in section A, King also fails to teach or suggest the image database of the claimed invention. Thus, King does not make up the deficiencies of the

Freedman.

Therefore, Applicant submits that, even if combined, the alleged combination of references would not teach or suggest each and every feature of the claimed invention. Accordingly, Applicant respectfully requests the Examiner to withdraw this rejection.

C. The Greulich Reference

The Examiner alleges that Greulich would have been combined with Freedman and King to teach the claimed invention of claims 8-10. Applicant submits, however, that, even if combined, the alleged combination of references would not teach or suggest each and every feature of the claimed invention.

Indeed, Applicant submits that claims 8-10 are patentable at least based on similar reasons to those set forth above in section B with respect to claims 1-7, 11-14, 16, 17, and 19-33.

Therefore, Applicant submits that, even if combined, the alleged combination of references would not teach or suggest each and every feature of the claimed invention. Accordingly, Applicant respectfully requests the Examiner to withdraw this rejection.

III. FORMAL MATTERS AND CONCLUSION

In the Response to Amendment/Argument section of the Office Action dated October 9, 2007, the Examiner alleges, "The following assertion of fact by the Examiner has gone unchallenged by the Applicant and is considered admitted prior art: relational databases and data models (e.g., a table that links data by a unique identifier such as an account number, social security number of ID)." (See Office Action dated October 9, 2007 at page 2).

Applicants respectfully submit that the Examiner's allegation is clearly erroneous and

is completely without merit.

That is, the Examiner is requested to carefully review the Amendment filed on August 11, 2005, which includes numerous pages of rebuttal arguments directed to the Examiner's alleged assertion of fact (e.g., see Response filed August 11, 2005 at pages 10-13).

Additionally, similar arguments were included in the Appeal Brief filed on November 23, 2005.

Accordingly, Applicant clearly challenged the Examiner's assertion and the Examiner's allegation that the Examiner's assertion of fact is admitted art is clearly erroneous.

In view of the foregoing, Applicant submit that claims 1-4, 16-17, and 19-33, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. Applicant respectfully requests the Examiner to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, Applicant requests the Examiner to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.


Serial No. 09/805,978
Docket No. 5-027US-FF

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The undersigned authorizes the Commissioner to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

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